

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SPIRIT AIRLINES, INC.,

Plaintiff,

No. 14-10715

v.

District Judge Patrick J. Duggan
Magistrate Judge R. Steven Whalen

ASSOCIATION OF FLIGHT
ATTENDANTS-CWA, AFL-CIO,

Defendant.

ORDER

Before the Court are Defendant Association of Flight Attendants-CWA, AFL-CIO’s (“AFA’s”) Motion for Protective Order Staying Discovery [Doc. #19] and Plaintiff Spirit Airlines, Inc.’s (“Spirit’s”) Motion to Compel Discovery [Doc. #24].

The AFA presently has a motion for judgment on the pleadings [Doc. #18] pending. As I explained in my order denying Spirit’s motion to stay briefing, the AFA’s motion will be decided on the pleadings, without the necessity of discovery. *See Ashcroft v. Iqbal*, 556 U.S.662, 686 (2009); *New Albany Tractor, Inc. v. Louisville Tractor, Inc.*, 650 F.3d 1046, 1051 (6th Cir. 2011). If the AFA’s motion is granted, there will be no necessity for discovery. If the AFA’s motion is denied, discovery can proceed, with no prejudice to the Plaintiff.

Accordingly, Defendant's Motion for Protective Order Staying Discovery [Doc. #19] is GRANTED, and Plaintiff's Motion to Compel Discovery [Doc. #24] is DENIED.

IT IS SO ORDERED.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: July 2, 2014

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on July 2, 2014, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla
Case Manager to the
Honorable R. Steven Whalen